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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,054	07/25/2001	Yasushi Takahashi	450101-02432	5762

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EXAMINER
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SHEPARD, JUSTIN E

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/890,054	Applicant(s) TAKAHASHI, YASUSHI	
	Examiner Justin E. Shepard	Art Unit 2617	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 44-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 44-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44, 46, 47, 49, 50, 53, 55, 57, 58, 61, 62, 64, 66, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Ueno.

Referring to claim 44, Goldberg discloses a method for transmitting video data comprising: generating picture data based on a main video data, by connecting in a predetermined sequence a plurality of shots each being the basic unit of the main video data, the preview data identifying the main video data (column 10, lines 36-42); generating semantic evaluation data based on a video characteristic evaluation of the shots of the main video data (column 9, lines 52-55; column 13, lines 46-49); and transmitting the preview data the semantic evaluation data and the main video data (column 9, lines 52-55; column 15, lines 6-8), wherein the preview data includes commentary data, still picture data (column 10, lines 36-42; figure 4), and/or voice data.

Goldberg does not disclose introducing the main video data and each chapter of the main video data with preview data.

Ueno discloses introducing the main video data and each chapter of the main video data with preview data (column 20, lines 19-22; Note: scene and chapter are interpreted as being equivalent).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the chapter previewing from Ueno into the system disclosed by Goldberg. The motivation would have been that enabling a user to preview the entire video scene-by-scene would make sure that the user wanted to view that particular video (Ueno: column 20, lines 25-26).

Claims 47, 50, 55, and 64 are rejected on the same grounds as claim 44.

Referring to claim 46, Goldberg does not disclose a method according to claim 44, wherein the transmitting occurs via any one of a radio broadcast, a wire broadcast, a radio network, and a wire network.

Ueno discloses a method according to claim 44, wherein the transmitting occurs via any one of a radio broadcast, a wire broadcast, a radio network, and a wire network (column 8, lines 31-33).

It would have been obvious for one of ordinary skill in the art to transmit video, preview, and semantic data over a network. The motivation would have been that Goldberg discloses real time transmission, which would most likely be provided over a network (Goldberg: column 15, lines 6-8).

Claims 49, 53, 58, 62, and 67 are rejected on the same grounds as claim 46.

Referring to claim 57, Goldberg discloses a receiver according to claim 55. further comprising: means for extracting a predetermined part from the main video data with reference to the preview data and the semantic evaluation data (column 11, lines 56-60).

Claims 61 and 66 are rejected on the same grounds as claim 57.

Claims 45, 48, 51, 52, 56, 60, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Ueno as applied to the claims above, and further in view of Abecassis.

Referring to claim 45, Goldberg in view of Ueno does not disclose a method according to claim 44, further comprising: editing the main video data to extract a predetermined part from the main video data with reference to the preview data and the semantic evaluation data.

Abecassis discloses a method according to claim 44, further comprising: editing the main video data to extract a predetermined part from the main video data with reference to the preview data and the semantic evaluation data (column 9, lines 13-16).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the editing from Abecassis to the system disclosed by Goldberg and Ueno. The motivation would have been to enable the system to edit out certain parts of the video that may be offensive to the user (Abecassis: column 7, lines 1-2).

Claims 48 and 52 are rejected on the same grounds as claim 45.

Referring to claim 51, Goldberg in view of Ueno does not disclose a method according to claim 50, further comprising: manipulating the main video data with reference to the preview data and the semantic evaluation data.

Abecassis discloses a method according to claim 50, further comprising: manipulating the main video data with reference to the preview data and the semantic evaluation data (column 9, lines 13-16).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the manipulating method from Abecassis to the system disclosed by Goldberg and Ueno. The motivation would have been to enable the system to edit out certain parts of the video that may be offensive to the user (Abecassis: column 7, lines 1-2).

Claims 56 and 65 are rejected on the same grounds as claim 51.

Claim 60 is rejected on the same grounds as claims 55 and 56.

Claims 54, 59, 63, and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Ueno as applied to the claims above, and further in view of Hjelsvold.

Referring to claim 54, Goldberg in view of Ueno does not disclose a method according to claim 50, further comprising: receiving billing data indicating how billing is to be performed; and billing based on the received billing data.

Hjelsvold discloses a method according to claim 50, further comprising: receiving billing data indicating how billing is to be performed (column 5, lines 28-29 and 45-51); and billing based on the received billing data (column 6, lines 9-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the billing method taught by Hjelsvold to the system disclosed by Goldberg and Ueno. The motivation would have been to enable different lengths of videos to have different prices (Hjelsvold: column 5, lines 28-29), which would make the system more convenient for the user.

Claims 59, 63, and 68 are rejected on the same grounds as claim 54.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

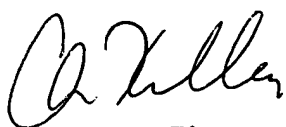
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

  
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